

**CITY OF BELMONT
PLANNING COMMISSION
SUMMARY MINUTES
TUESDAY, DECEMBER 15, 2009, 7:00 PM**

Chair Horton called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Horton, Mayer, Parsons, Mercer, Reed, Mathewson

Commissioners Absent: Frautschi (arrived at 7:03 p.m.)

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), Assistant Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) – None

Commissioner Frautschi arrived at 7:03 p.m.

4. CONSENT CALENDAR

4A. Minutes of November 17, 2009

MOTION: By Commissioner Mathewson, seconded by Vice Chair Mayer, to approve the Minutes of November 17, 2009 as presented.

Ayes: Mathewson, Mayer, Mercer, Horton, Frautschi

Noes: None

Abstain: Parsons, Reed

Motion passed 5/0/2

5. PUBLIC HEARINGS

5A. PUBLIC HEARING – 2200 Carlmont Drive (Merry Moppet Preschool)

To consider a Conditional Use Permit, Design Review, and Tree Removal Permit to allow the construction of a 960 sq. ft. modular building for use as a multi-purpose/activity room (Appl. No. PA2009-0042).

APN: 045-130-030; ZONING: R-3 (Multi-family Residential)

CEQA Status: Categorical Exemption per Section 15303

Belmont Planning Commission Summary Minutes

December 15, 2009

2

APPLICANT: Joanna Reams

OWNER: Pamela Clark

PROJECT PLANNER: Damon DiDonato, (650) 637-2908

SP DiDonato summarized the Staff Report, noting that the applicant is Merry Moppet Preschool but the project site also includes the Belmont Oaks Academy Elementary School. Staff recommended approval of the applications subject to the conditions of approval attached. He added that staff had just received an opposition letter from a neighbor, which was then handed to the Commission.

Commissioner Mayer asked for clarification as to whether or not the increased enrollment is part of the Conditional Use Permit (CUP) amendment. SP DiDonato explained that the enrollment at the campus is currently as large as they can accommodate with respect to the number of teachers on staff, which dictates the number of required parking spaces, but that the current CUP does not include an enrollment cap. The enrollment could increase by a maximum of 10 siblings, without having a significant impact on traffic or parking. Staff therefore recommended the addition of a condition that would cap the enrollment at 375 students.

Commissioner Parsons raised a question about the hours and number of students enrolled in pre- and after-school programs. SP DiDonato deferred to the applicant for clarification.

Responding to Commissioner Mathewson, CDD de Melo clarified that this is the first time they have looked at enrollment numbers for this school in terms of capping it, so if there is an enrollment increase in the future a CUP amendment will be required.

Responding to Commissioner Parsons' suggestion that perhaps they should be looking at a master plan for this site rather than approving projects piecemeal, CDD de Melo suggested that they first hear what the applicant envisions for the site.

Responding to SP DiDonato's statement that no neighborhood feedback had been received prior to preparation of the Staff Report, Commissioner Frautschi suggested that a statement to that effect would have been appreciated. His questions regarding the teacher/student ratio and whether the ten additional students are being approved for Merry Moppet or for the Academy were deferred to the applicant.

Responding to Commissioner Mercer, SP DiDonato said that it was his understanding that the Public Hearing Notice was mailed to owners of the nearby apartment buildings, not to the residents, and her question regarding the potential of changing the roof to a composite material rather than the proposed metal roof was referred to the architect.

Richard Terranos, project architect, stated that the proposed roofing is a galvanized metal so that it is non-reflective. An alternative could be a built-up multi-ply roof with a cap sheet if that is desired, but he did not believe the roof as proposed would be reflective to the adjacent apartment buildings. The color would be similar to a galvanized fence post. Regarding neighborhood outreach, he stated that they delivered a flyer that described the plans as well as copies of the plans to all of the apartments and houses they could access within 300'. He added that the before- and after-school program is limited to students enrolled in the school and that the building will serve for multi-use functions and other rainy day activities for the students already at the school and will involve no increase in staff. He believed the placement of the building was at the best possible location to serve the needs of the school, and had contacted two different tree removal companies, neither of which had a client who would accept the Palm tree. He noted that they had not specifically requested as part of the application the addition of the enrollment cap, but understood the need and desire of staff to try to stabilize the enrollment and establish a benchmark for the student population.

Joanna Reams, Director of Finance and Operations for the school, stated that the preschool is full at 145 students with a 1/12 teacher/student ratio as required by the State Department of Social Services. They have 220 students in the elementary school where the class size varies with as few as 12 and as many as 25 students in the larger rooms. If there is an increase of 10 students it would be the elementary school because they are at the maximum for their license in the preschool. This proposed building is for use only by the preschool. Responding to Commissioner Parsons, she commented that they have only conceptual ideas for remodeling some of the older classrooms and enclosing an area on the back side of the first grade classroom, perhaps in the next 5 years if the enrollment maintains at its current level.

Discussion ensued between Commissioner Frautschi and Mr. Terranos regarding the pros and cons of possible alternative sitings of the building in order to save the Palm tree. Mr. Terranos also stated that the City arborist mentioned the possibility of a fungus and the property owners did not see the need to replant the tree elsewhere on campus, and that the 3-tree replacement could be some other type of smaller tree or perhaps in-lieu fees. He added that the site drainage is flowing downstream towards Carlmont and that, along with the trenching that will come over from the adjacent building, they will tie any downspouts into the campus storm system.

Regarding possibly reorienting the building, Chair Horton expressed that she was not sure if the setback requirements are the same for private institutions as they are for public schools. She also suggested that rather than tree movers they contact nurseries who might accept the Palm tree. Commissioner Mercer added the suggestion that the City be given the right of first refusal of the tree. CDD de Melo agreed to inquire with the Parks and Recreation Director about the City's interest in receiving the tree.

Chair Horton opened the Public Hearing. There were no speakers.

MOTION: By Commissioner Frautschi, seconded by Commissioner Mathewson to close the Public Hearing. Motions passed 7/0 by a show of hands.

Commissioner Mercer made the following comments:

- Commended staff for proposing a very thorough CUP
- Suggested establishment of separate enrollment numbers for the preschool and the academy because the intensity of use is different and the impact on the neighborhood is somewhat different with different hours and different outdoor activities.
- Suggested that permitted hours be documented as part of the CUP.
- Concurred with Commissioner Frautschi that the re-siting of the building should be looked into.
- If the Palm tree does have to come out, the City Parks or Public Works Departments should have the right of first refusal of the tree.
- Biggest concern is with in the metal roof glaring up into the adjacent apartment building. She would rather see it integrated in with the rest of the school, which is predominately asphalt shingles. Suggested that staff work with the applicant to find a compromise that would be less reflective and that still would not be a heat trap.
- Concerned about the noise from the air conditioning unit.
- Frustration of neighbors with the driving etiquette of parents is a concern that might be mitigated by establishment of hard and fast hours of operation.

Commissioner Frautschi thanked Ms. Reams for spending time with him and Commissioner Parsons that day on a walk-through of the site. He could support the building but believed they should try to save the trees and could only vote for the project if he is guaranteed that the tree will be moved, not removed. He had a problem with increasing the enrollment cap by 10 students; it was not what he expected and did not understand why it was not capped at 365.

Commissioner Mathewson questioned the fluctuations in enrollment in the past. Pamela Clark, Executive Director/Owner of the schools, came to the podium and explained that over the years enrollment has depended on the economy, and described the difficulty with parents having to go to two different schools. She thought it was thoughtful of City staff to allow that flexibility over the next 20-40 years, noting that this is the school's 61st year in Belmont, and stated that they want to be fair and true to their commitment but

noted the problem of turning a sibling away if they are at their limit. Commissioner Mathewson agreed to go along with the majority on the enrollment issue and was supportive of the project.

Vice Chair Mayer could support the project and concurred that the City should be given first choice if the Palm Tree has to be removed and that it should never be destroyed. He believed they should set an enrollment cap one way or another.

Commissioner Parsons also thanked Ms. Reams for the tour and had no problem with the idea of having an additional classroom. He believed that from a planning standpoint there is an answer where the long side of the building could be put against the upper athletic play area, which would give them a larger open space down to the lower two play areas and would also save the Palm tree. If it legally cannot be reoriented because of regulations he would approve the project, with the requirement that the tree be removed by the school and given to the City at a location designated by the City if the City so desires. He thought the building would be very visible and supported use of an asphalt shingle roof or some sort of less noisy roof. He did not know why they could not keep the number at 365 and perhaps add some language with the flexibility of up to 5 sibling students. CDD de Melo suggested that they just create a number without imposing the need on the City to track whether or not new students are indeed siblings.

Commissioner Reed stated that he would rather have had the school enrollment numbers handled separately from the building. He did not prefer to see a tin roof and since the Palm tree is not native to the area he did not see any problem with its removal. Regarding enrollment, he noted that the Belmont/Redwood Shores School District schools are approximately 300 chairs short and, with that in mind, thought perhaps the 375 cap for this project could be too low. He further noted that for the most part kids are arriving after people have left for work and leaving before resident come back, and increasing enrollment for siblings would not increase drop-offs since there would be 1 drop-off for 2 kids. He reiterated that they need to be cognizant of the fact that school enrollments change from year to year and decade to decade and that presently there is a huge need for student space in Belmont. He would leave it up to the people who run Belmont Oaks and Merry Moppet to come up with a reasonable number and would have preferred a clean separation between the building and enrollment numbers.

Chair Horton did not agree that the building roof should be asphalt shingles; in order to be ecologically conscientious it needs to be a white, cool, roof. She personally does not like Palm trees and thought it was a dangerous tree to have on a playground and should be removed from the current location. Regarding the enrollment, she noted that Belmont has 7 public schools, not counting Sandpiper, and 5 private schools. She did not believe that Belmont has to be the community to take care of the demand for private schools because people do not want to send their children to public schools. She felt that if the City gives 10 more spots to Belmont Oaks the other 4 private schools will be seeking similar additions and that it has to stop. She believes school traffic is impacting the entire city and that not one more spot should be granted to any school, that the enrollment issue should have been handled separately and that 365 is plenty of students for the square footage of the subject property.

Discussion ensued regarding the possible effect the Commission's action could have with regard to the CUP and enrollment. Ms. Clark was asked to return to the podium and was asked if she believed 375 is a reasonable number. She responded that she guessed it would be a reasonable number and then asked to address the traffic situation. She stated that the school has done everything it can to improve the traffic problem caused by the school between 7:30 and 8:30 a.m., but that their dismissal times are staggered starting at 11:30 a.m. and on to 6:00 p.m. and do not impact afternoon or evening traffic. She added that she would not necessarily like to see the school get bigger but capping could become an issue if they can't teach their students and siblings because they have too many. She confirmed that the enrollment ceiling of 145 for the preschool is set by the State because of the current buildings and will probably increase with the new building but that is not what they are looking for. The 220 enrollment limit for the Academy is not imposed by State law but is self-imposed by the size of the classrooms and what they feel is comfortable and in the best interest of the students.

Chair Horton stated for the record that she has nothing against Belmont Oaks or Merry Moppet schools; she believes there is a general issue in the City and a line has to be drawn.

Commissioner Reed reiterated that he believed the Commission needs to recognize the importance of the education industry to the City of Belmont.

Commissioner Mercer did not believe the enrollment should go any higher due to the intensity of use of the site and believed that Cipriani and Fox schools have twice the acreage with approximately the same number of students. She believed a ceiling should be established on the enrollment to make sure it does not continue to increase.

Vice Chair Mayer added that the large concept is the self-imposed limit based on the size of the facility, and that if the school wanted to increase its size to 400-450 a massive redevelopment of the entire property would be required. He favored setting the cap at the current level and let the school manage its enrollment in such a way that they leave some extra room each year for additional students.

Commissioner Reed suggested that the proposed hours should be flexible enough to allow for back-to-school nights or special events.

Regarding hours of operation, CDD de Melo asked the applicant to again approach the podium to suggest a "not-to-exceed" number of special events, which was then set at 7.

MOTION: By Commissioner Parsons, seconded by Commissioner Mathewson, to adopt the Resolution approving a Conditional Use Permit Amendment, Design Review, and Tree Removal Permit to Construct a 960 Sq. Ft. Modular Building for use as a Multi-

Purpose Room for the Merry Moppet Preschool at 2200 Carlmont Drive (Appl. No. PA2009-0042), with the following additional conditions: (See Attached Resolution No. 2009-31 and Attached Conditions Exhibit "A") Commissioner Parsons stated for the record that a Palm tree of approximately the same size in his yard has never dropped fronds so he does not believe it is necessarily a dangerous tree.

Commissioner Reed's suggested amendment to the motion to allow the school some flexibility in its enrollment was not accepted.

Commissioner Frautschi's suggestion that, if the applicant has to pay to move the tree, the City keep its fee at no more than what it would be if they cut the tree down and had to replace it. If it's \$1000 to \$2000 additional, the City would have to pick it up. Commissioner Parsons stated that that was not his motion.

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Ayes: Parsons, Mathewson, Mercer, Mayer, Horton

Noes: Frautschi, Reed

Motion passed 5/2

Chair Horton announced that this motion may be appealed within 10 calendar days.

5B. PUBLIC HEARING – 700 Island Parkway and Remnant Parcel

To consider a Conditional Use Permit to amend a Detailed Development Plan to incorporate a fully developed parking area into the Autobahn Motors Sales/Service facility. (Appl. No. PA2008-0041)

APN: 040-360-480, 040-360-530 & Remnant Parcel; Zoned: PD (Planned Development)

CEQA Status: Negative Declaration

APPLICANT: Sonic Development

OWNERS: Lucas Trust Properties, LLC and the City of Belmont

PROJECT PLANNER: Damon DiDonato, (650) 637-2908

SP DiDonato summarized the Staff Report, recommending approval.

The Commission had no questions for staff or the applicant.

Chair Horton opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Frautschi, seconded by Commissioner Reed, to close the Public Hearing. Motion passed 7/0 by a show of hands.

Commissioner Parsons asked that, as a condition of approval, the landscaping be brought back to the condition as approved in the original plans.

MOTION: By Commissioner Frautschi, seconded by Commissioner Reed, to adopt the Resolution approving a Conditional Use Permit and Associated Detailed Development Plan Amendment to Incorporate an Existing Parking Lot for Sales/Service Vehicles for Autobahn Motors at 700 Island Parkway (Appl. No. 2008-0041), with Exhibit A, Conditions of Project Approval, Conditional Use Permit, with the additional condition that the records will be checked on the standing landscape requirements and that they be deemed to be in total compliance with what is required for the site.

Ayes: Frautschi, Reed, Mercer, Mathewson, Parsons, Mayer, Horton

Noes: None

Motion passed 7/0

Chair Horton announced that this action may be appealed within 10 calendar days.

Hunter Alexander, representing the applicant, came to the podium and asked for copies of pictures that had been provided to the Commission, and stated that the landscaping issues will be taken care of immediately. He complimented staff on their assistance with the project.

6. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

6A. Ralston/US-101 Landscape Project

No report at this time.

6B. San Mateo Development – North Road/43rd Avenue

The second encroachment permit has not yet been issued. He will look into the dumpsters on North Road.

6C. Parking Study – Downtown Village Area

No report at this time.

6D. High-Speed Train (HST) Project – San Francisco to San Jose

No report at this time.

6E Chuck's Donuts – 641 Ralston Avenue

No report at this time.

6F. Emmett House

No report at this time.

6G. 1000 South Road

He expected to meet with the property owner on the following day.

6H. 2230 and 2260 Ralston Avenue

These two homes were built about 6 years ago and have been in various stages of foreclosure – different owners, different issues – but are now starting to get on more solid financial footing. The homes are largely complete but currently unoccupied. The owner of 2260 is trying to fulfill the following remaining conditions:

1) Final geotechnical signoff that needs to be completed by the City's third party geotechnical consultant as well as the Public Works Department. 2) A site walk will be undertaken to confirm that landscaping is replaced, if necessary, in accordance with the approved project. 3) CC&R's need to be drafted for the project because it is a private street that services the two homes. When these three issues have been fulfilled they will be able to get a certificate of occupancy, but they are trying to find buyers for the properties. At Commissioner Mercer's request, CDD de Melo will check with the Building Official to determine the status of fines due for not meeting construction deadlines.

Other Items

Chair Horton asked to have the construction time limit ordinance amended at a meeting when the Building Official can be present, with the goal of letting Council know the feelings of the Commission on this issue.

Regarding Charles Armstrong School, CDD de Melo informed the Commission that the City is working with a grant that has been conferred as part of the City's tree planting program. City staff, Charles Armstrong people and Neighborhood First people have met to show the area where they envision planting the trees and doing some selective thinning out of the western corner of the field. There will be some minor grading, a path, benches and tables will also be added. Commissioner Mercer added that the Belmont 4H is doing the planting with their California Relief grant money and the Parks and Recreation Department is doing the infrastructure.

Commissioner Reed would like to understand where the tree removal fee money received by the City goes, noting that there is never enough money to plant trees on North Road. Commissioner Parsons suggested that the City's controller be asked to come to a Planning Commission meeting to discuss this issue. CDD de Melo will follow up on this request.

CDD de Melo commented that Planning Commissioners, as well as Finance and Parks and Recreation Commissioners, need to be recognized for the great work that they do. He asked Commissioners to save Friday, March 5th on their calendars for a Commission Appreciation Dinner, which will be held at the Senior Center and be cooked and served by staff. Commissioners' significant others are invited to attend as well. Commissioner Parsons expressed his thanks to some of the Parks and Recreation people who helped install trees and sprinklers on Lassen Street for the Belmont Heights Homeowners Association.

Commissioner Frautschi encouraged all to support the new Godfather Burger Lounge on El Camino and Harbor Boulevard. He said the food, service and prices are all good.

Commissioner Frautschi expressed his thanks to Community Development Staff and CA Zafferano for the support they gave to the Commission the past year, especially with the Housing Element, and added that he hopes they can move along with the General Plan in the coming year.

7. CITY COUNCIL MEETING OF TUESDAY, JANUARY 12, 2010

Liaison: Commissioner Mercer

Alternate Liaison: Commissioner Mathewson

Chair Horton announced that City Hall will be closed beginning December 25th through Friday, January 1st, and will reopen for business on Monday, January 4th,, and that the Planning Commission meeting for Tuesday, January 5th, has been cancelled.

Commissioner Mercer announced that she will not be in attendance at the January 19th meeting, and starting in January she will be taking a required class on Tuesdays. She expects to have to miss 4 or 5 meetings throughout the spring.

Commissioner Mathewson will also be absent on January 19th.

8. ADJOURNMENT:

The meeting was adjourned at 9:10 p.m. to a Regular Planning Commission Meeting on Tuesday, January 19, 2010 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo

Planning Commission Secretary

CD's of Planning Commission Meetings are available in the Community Development Department.

Please call (650) 595-7416 to schedule an appointment.

I:/Planning Com/Min121509

RESOLUTION NO. 2009-31

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT APPROVING A CONDITIONAL USE PERMIT AMENDMENT, DESIGN REVIEW, AND TREE REMOVAL PERMIT TO CONSTRUCT A 960 SQ. FT. MODULAR BUILDING FOR USE AS A MULTI-PURPOSE ROOM FOR THE MERRY MOPPET PRESCHOOL AT 2200 CARLMONT DRIVE (APPL.NO. PA2009-0042)

WHEREAS, Joanna Reams, applicant, on behalf of Pamela Clark, owner requests a Conditional Use Permit Amendment, Design Review, and Tree Removal Permit to construct a 960 sq. ft. modular building for use as a multi-purpose room for the Merry Moppet Preschool at 2200 Carlmont Drive; and,
WHEREAS, a public hearing was duly noticed, held, and closed on December 15, 2009; and,
WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15301; and,
WHEREAS, the Planning Commission hereby adopts the staff report dated December 15, 2009 and the facts contained therein as its own findings of facts; and,
WHEREAS, the Planning Commission has considered the applicant's request for a Conditional Use Permit Amendment, Design Review, and Tree Removal Permit to construct a 960 sq. ft. modular building for use as a multi-purpose room for the Merry Moppet Preschool at 2200 Carlmont Drive, and finds that it meets required findings as set forth in Section 11.5.1 of the Zoning Ordinance as follows:

a) The location of the proposed use is compatible to other land uses in the general neighborhood area and does not place an undue burden on existing transportation, utilities and service facilities in the vicinity.

The applicant requests approval of a Conditional Use Permit and Design Review to construct a 960 sq. ft. modular building for use as a multi-purpose room for the Merry Moppet Preschool. The proposed addition to the existing pre-school is compatible with other land uses in the general neighborhood and represents a relatively small increase in floor area for the school campus. No new employees would be added with this project so no additional parking spaces would be required. Existing utilities and services for the site would be unchanged with this proposal. Thus, staff believes that the proposed project would not place an undue burden on parking, traffic circulation, or utilities serving the neighborhood. This finding is affirmed.

b) The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by this ordinance. The existing campus and the proposed project conform to all required development criteria (i.e., Resolution

2200 Carlmont Drive, #PA2009-0042

December 15, 2009

Page 2 of 5

total floor area, height, setbacks, and parking requirements). Although one tree would be removed for the project, site landscaping is well maintained, and would otherwise not be altered to accommodate the requested multi-purpose/activity room. This finding is affirmed.

c) The site will be served by streets of a capacity sufficient to carry the traffic generated by the proposed use.

The subject site is currently served by Carlmont Drive and Merry Moppet Lane. Although the school campus is located in an area that is developed with multi-family buildings, it is not a significant contributor to traffic in the area, because the majority of the parents are dropping off their children after the nearby apartment dwellers have either left for work, or are heading in the opposite direction (away from the campus). In addition, the school has implemented a student drop-off/pick-up plan that has proven effective in mitigating for traffic/circulation impacts, as observed by Planning staff and confirmed by Public Works and Police Department staff. Thus, the proposed project would not significantly impact traffic in the vicinity of the campus. This finding is affirmed.

d) The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.

No significant noise, parking or traffic impacts are anticipated from the project. All City departments have reviewed the proposal and/or provided conditions of approval that should ensure that the proposed use will not adversely affect the general welfare of the City. Conditions of approval have been included that would require conformance with the California Building Code, and final review and approval by the Public Works and Fire Departments. Therefore, as proposed and with incorporation of and adherence to the conditions of approval, the project will not adversely affect other property in the vicinity or the general welfare of the city. This finding is affirmed.

WHEREAS, the Planning Commission finds the applicant's request for a Conditional Use Permit is consistent with the required findings pursuant to 11.5.1 of the Belmont Zoning Ordinance (BZO). The Planning Commission reviewed the proposed use and believes the proposal (as conditioned) conforms to all required standards and is generally compatible with neighboring properties.

WHEREAS, the Planning Commission has considered the request for a Design Review Permit for the proposed project and finds that it meets required principles as set forth in Section 13.5.3 of the Zoning Ordinance as follows:

a) Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.

The proposed multi-use/activity building would match other buildings on site in terms of size, scale, mass, materials and proportions. The building would only be marginally visible to surrounding properties given the mature trees, vines and slated fences that surround the

site. This principle is met.

b) Review of proposed exterior color and material application with relationship to adjacent architectural of natural elements. The intent with respect to review of color is to avoid the use of extreme color.

The exterior color and materials would match existing building on site (i.e., tan vertical wood siding, blue trim, brown canvas awnings, and anodized metal framed windows). The proposed earth tone colors and natural materials would be consistent with the site and surrounding area. This principle is met.

c) Review the proposed location, height, and materials of walls, fences, hedges and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility installations or other surfacing to prevent dust erosion.

The existing campus is predominantly screened by mature trees and fencing. No new storage areas or utility installations are proposed. Best Management Practices (BMPs) for grading will be required as a condition of project approval to prevent erosion and sedimentation impacts. This principle is met.

d) Review of location, size, height, lighting and landscaping of signs as specified in the Sign Ordinance, in relation to traffic hazards and the appearance of harmony with the environment. The intent with respect to review of color is to avoid the use of extreme color.

This project does not include any new signs. This principle is met.

e) Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.

The property has been developed with buildings and playgrounds in the flat areas of the campus with mature trees and other plantings located along the perimeter in keeping with physical characteristics of the property. The proposed multi-use/activity building would be placed within required setbacks, and in an area where existing vegetation would substantially screen it from view from adjacent residential properties. This principle is met.

f) Review of the layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.

Existing parking areas and pathways have been reviewed and approved by the Building Division and the Department of Public Works under previously approved Conditional Use Permit Amendments. The existing site layout has one dedicated (restricted to use by the school) parking area for nineteen vehicles along Merry Moppet Lane (east of the site), and

an abundance of undedicated on-street parking on Merry Moppet Lane and Lyall Way (north of the site). No vehicular and pedestrian entrances, exits, drives, and walkways will be compromised by this project. This principle is met.

g) Review of site landscaping including adequacy of irrigation plans, size and location of plant materials, and protection of existing plant materials.

One palm tree will be removed to allow the construction of the multi-purpose/activity room. The City arborist has recommended tree protection measures for existing trees within the project area, which have been included as conditions of project approval.

A comprehensive landscape plan has not been proposed because the property is fully landscaped with mature trees, and developed with structures and play areas for the school. Existing landscaping will be maintained with this proposal and a condition of approval has been included that would require that a picture inventory of existing landscaping be submitted prior to building permit issuance.

The Planning Commission has considered the applicant's request for Design Review and finds that the project meets the Principles for Design Review in Chapter 13.5.3 in that the proposed multi-use/activity building is designed to be compatible with the existing character and design of the existing school. In addition, the proposed use will not impact any vehicular or pedestrian circulation of the site or substantially reduce existing landscaping. This principle is met.

WHEREAS, the Planning Commission has considered the applicant's request for a Tree Removal Permit and evaluated the following required factors as set forth in Section 25-6 of the City of Belmont Municipal Code to determine the decision to issue or deny issuance of a Tree Removal Permit:

1) The condition of the tree(s) protected tree(s) with respect to disease, danger of falling, proximity to existing or proposed structures, interference with utility services, or posing a safety hazard.

2) The necessity to cut, move, remove, or excessively prune the tree(s) in order to construct any proposed improvements allowing reasonable and conforming use of the property. Alternative action shall be fully

considered and every attempt shall be made to preserve as many trees as possible.

3) The topography of the land and the effect of the proposed action on erosion, soil retention, diversion or increased flow of surface waters and storm drainage requirements.

4) The number of trees existing in the vicinity.

5) The number of trees which the particular parcel can adequately support according to accepted arboricultural practice.

The Planning Commission believes the proposed project meets the aforementioned factors stated in Section 25-6 of the City of Belmont Municipal Code to remove the protected cedar tree. There are a Resolution

2200 Carlmont Drive, #PA2009-0042

December 15, 2009

Page 5 of 5

number of existing trees on site, and additional trees will be installed or in-lieu fees will be paid in accordance with City requirements. The proposed improvements to the site are reasonable and conform to the intended use. Thus the Planning Commission approves the Tree Removal Permit in accordance with the stated factors of Section 25-6 of the Belmont Municipal Code.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

NOW, THEREFORE, BE IT RESOLVED the Planning Commission approves the Conditional Use Permit Amendment, Design Review, and Tree Removal Permit to construct a 960 sq. ft. modular building for use as a multi-purpose room for the Merry Moppet Preschool at 2200 Carlmont Drive, subject to the conditions attached as Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on December 15, 2009 by the following vote:

AYES,

COMMISSIONERS: Parsons, Horton, Mathewson, Mayer, Mercer

NOES,

COMMISSIONERS: Frautschi, Reed

ABSENT,

COMMISSIONERS: None

ABSTAIN,

COMMISSIONERS: None

RECUSED,

COMMISSIONERS: None

Carlos de Melo

Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL

CONDITIONAL USE PERMIT, DESIGN REVIEW, TREE REMOVAL PERMIT

2200 CARLMONT DRIVE (APPL. NO.2009-0042)

I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2009-0042, except the applicant shall explore options to pivot the multiuse/activity building so as to protect the thirty-inch palm tree. Should it be proven infeasible to pivot the building (i.e., contrary to building code), the applicant may either relocate the palm tree or remove it. Removal fees and replanting of three trees (24-inch box) or payment of in-lieu planting fees shall be required if the tree is removed. No removal fees, replanting or payment of in-lieu replanting fees shall apply if the tree is relocated within the City of Belmont. The City of Belmont Parks and Recreation Department shall be given the right of first refusal for the tree. The Director of Community Development may approve minor modifications to the plans.

2. Parking and drop-off/pick-up operations shall conform to the conditions described in the December 15, 2009 Planning Commission staff report. The hours of operation shall be from 7:00 a.m. to 6:00 p.m., except for up to seven special events (i.e., back to school night, open house, etc.), per calendar year. The maximum student enrollment permitted for the campus under this Conditional Use Permit Amendment approval is 365. The maximum staffing permitted for the campus, on site at any one time, under this Conditional Use Permit Amendment approval is 47.

3. Prior to issuance of a building permit, the applicant shall submit a modified roof plan for review and

approval by the Community Development Director, in consultation with the Building Official. Said roof plan shall reflect a built-up, non-noisy, cool roof design.

4. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 2

5 Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.

6. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.

7. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.

8. The applicant shall submit a photographic record of the existing landscaping to the Community Development Department, prior to the issuance of grading or building permits. If any existing landscaping should be damaged during construction related activities, the applicant shall replace such landscaping in kind for the property, prior to issuance of a planning final.

9. Should the 30-inch palm tree be removed, the applicant shall pay tree removal fees for removal of the tree, as identified by the City Arborist (\$2,253), prior to issuance of a building permit. Three 24-inch box size, mitigation tree plantings (drought-tolerant, California native species) or payment of in-lieu planting fees are also required, prior to final building permit inspection.

10. Tree protection and mitigation per City Arborist Report dated November 30, 2009.

The following recommendations must be included as "tree protection notes" in the final stamped building set of plans:

Prior to issuing a permit for grubbing, demolition, tree removal, grading, or construction, the following must occur:

Members of the applicant's project team shall make an appointment for a site pre-construction meeting with the Contract City Arborist.

Items for discussion and assessment (also use the tree data table as a guide and reference for tree protection and maintenance items):

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 3

a. Landscape and Irrigation: Verify if any plantings are proposed for beneath the canopy driplines of trees #4 through #11. Verify if irrigation line trenching is proposed for beneath the canopy driplines of trees #4 through #11.

b. TPZ and Trunk Buffers: Determine actual tree protection zone (TPZ) routing on the ground using spray paint, and discuss options and specifications for trunk buffers and chain link fence. Verify installation of trunk buffers around all trees #1 through #11, and chain link fencing installation along the canopy driplines of redwoods #4 through #11, prior to site plan commencement.

c. Temporary Irrigation: Discuss availability of the south portions of root zones of trees #4 through #11 as the temporary irrigation zone for soaker hose and/or poly tubing/bubbler placement in a snake formation per the tree map. Verify setup and activation of the system prior to site plan commencement.

d. Existing irrigation: Maintain all existing irrigation systems around trees at current frequency/duration throughout the site plan work period. If any system(s) are required to be removed, severed, or shut off, then verify that temporary system(s) will be activated. Verify activation prior to commencement of site plan work.

e. Palm #2 foliage: Verify that prefab building movement into the development area will not affect south

canopy of palm #2.

f. Utilities: Verify locations of any utility trenching proposed that will span between the main building (existing) and proposed new building. Plan for 15 to 20 horizontal feet minimum separation between trench faces and tree trunk edges.

g. Staging: Identify all staging areas.

h. Pruning: Verify that no clearance pruning will be required on trees #1, 2, 4, 5, 6, 7, 8, 9, 10, or #11.

i. Root Barrier: Verify whether a root barrier is proposed to be installed between the proposed new building and existing redwood specimens #4 through #11.

j. Demolition: Verify whether any of the existing asphalt surfaces, rubber playground surfaces, and/or header work currently located between the proposed TPZ fence and the trunks of trees #9, 10, and #11 are proposed to be demolished or otherwise altered. If so, then determine demolition schedule such that CCA can monitor and document work inside the (restricted access) TPZ fenced area.

k. Excavation: If the asphalt basecourse and/or the basecourse below rubber playground surfacing is to be removed from the TPZ area inside the canopy driplines of trees #4 through #11, then discuss with the CCA all tree root-friendly construction options for optimizing root preservation. If possible, specify zero basecourse excavation.

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 4

l. Verify payment of tree removal fee for palm #3 (\$2,253) and installation of any mitigation plantings and/or payment of in-lieu fees required by planning commission action as stated in the planning division "conditions of approval" (COA) document. Typical in-lieu fee for removal of a single protected tree in lieu of planting three 24" box native specimens would be $450 \times 3 = \$1,350$ in addition to the \$2,253 removal fee.

PRUNING:
Any pre-project pruning of trees on or adjacent to the subject property shall be performed only by or under direct site supervision of an ISA Certified Arborist, and shall conform to the most recent edition of ANSI A300 Part I: Tree, Shrub, and Other Woody Plant Maintenance, Standard Practices, Pruning.

Recommended Tree Pruning Vendors (in random order):

a. Advanced Tree Care, Redwood City. 650-537-0172

b. Maguire Tree Care, Half Moon Bay. 650-245-2620

c. The Shady Tree Company, South Bay. 650-575-8218

Tree Care Companies performing work on the subject property shall contact the CCA prior to commencement of any work.

The CCA will request a receipt for all tree care related work to verify compliance with this pruning recommendation.

IRRIGATION TEMP.:

(Methods and locations to be determined at the site pre-construction meeting between general contractor and CCA. General location for irrigation will be the south side of the existing wood fence, behind trees #4 through #11.

Contractor shall verify use of irrigation water by documenting in a written journal the time and date of each irrigation event, and the approximate volume of water applied. This journal shall be available for viewing by the CCA.

IRRIGATION EXISTING:

Maintain existing irrigation systems at current frequency and duration around trees.

WOOD CHIP MULCH:

Natural wood chips shall be laid over any open soil or open basecourse area that is exposed during demolition or excavation under the canopy driplines of trees #4 through #11 (to be determined at the pre construction site meeting).

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 5

The layer of wood chips shall be 4 inches thick.

Pull back chips approximately 12 inches away from the trunk of any tree to avoid excessive moisture buildup which can cause root crown decay.

The best source for low cost, high quality, natural, untreated wood chips is Lyngso Garden Supply in Redwood City (self pickup). www.lyngsogarden.com

TRUNK BUFFER:

Trees #1 through #11 shall be supplied with trunk buffers covering the exposed lower trunks between grade elevation and approximately 6 feet above grade (or the lowest scaffold limbs). The buffer shall consist of orange plastic wrapped approximately 20 times to create a layer 2 inches thick. Place 2X4 wood boards over

the buffer, standing up side by side around the entire trunk circumference. Secure with duct tape or rope, or continue wrapping orange plastic over the wood boards and affix with UV resistant zip-ties. Do not use wires. See spec photo below.

TREE PROTECTION FENCING:

CHAIN LINK

Chain link fencing shall be erected along the approximate route shown on the tree map scan in this report (i.e. along the canopy driplines of trees #4 through #11). The exact location of fence erection shall be determined during the site pre-construction meeting between the CCA the general contractor. The areas between the tree trunk edges and this fence route shall be known as the critical root zones or tree protection zones ("CRZ" or "TPZ").

Fencing material used for all protective fences as per above must be steel chain-link, at least five-feet in height, mounted on two-inch diameter galvanized iron posts 7-feet in length, driven a minimum of 24-inches into the ground. Posts must be mounted no wider than six-feet apart. This fence must be erected prior to any heavy machinery traffic or construction material arrival on site.

Compliance inspections will occur (1) at the time of fence erection (2) approximately once monthly during grading and construction, and (3) after construction is complete. All fencing must remain in place until all construction is completed and the fencing and other protection has been received a final signoff letter from the city arborist. Permit approval will not occur until after the first inspection has been performed and the protection measures are approved by the city arborist.

The protective fencing must not be temporarily moved during construction. No materials, tools, excavated soil, liquids, substances, etc. are to be placed or dumped, even temporarily, inside the TPZ/CRZ.

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 6

No staging will be allowed inside the TPZ.

PANEL OPTION:

Free standing chain link panels can be used in lieu of standard rolled chain link. Panels shall be set on moveable concrete footings and wired together along locations to be determined.

SIGNAGE

The TPZ fencing shall have one sign affixed with UV-stabilized zip ties to the chain link at eye level for every 10-linear feet of fencing, minimum 8"X11" size each, plastic laminated or otherwise waterproofed, stating:

TREE PROTECTION FENCE

DO NOT ALTER OR REMOVE

CALL CITY ARBORIST 48-HRS ADVANCE

(650) 697-0990

TREE-RELATED FEES AND MITIGATION:

If the CCA determines at the end of project that decline/death/destabilization of any survey tree(s) to remain occurred as a direct result of site plan related construction activity, the applicant shall pay damage fees in the amount of the removal values per the 2009 master fee schedule and as noted in the attached tree data charts.

Mitigation may also apply, as specimens noted in this report are protected size trees that require up to 3:1 mitigation with 24" box size native species plantings, or payment of an in-lieu fee of $\$450 \times 3 = \$1,350$ (per each protected tree removed or damaged).

PALM CONFLICTS:

Verify that prefab building movement into the development area will not affect the south canopy of palm #2. If conflicts of any type are expected to occur, then install blocking (e.g. "plywood fence", landscape netting, etc.) to prevent contact between fronds and prefab building.

UTILITIES:

Applicant shall verify that utilities are to be trenched such that horizontal separation between trench faces and existing tree trunks is maintained at 15 to 20 feet minimum.

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 7

STAGING:

Staging/storage will not be allowed within fenced tree protection zones (TPZ). Identify all staging areas, and ingress/egress routes including prefab building ingress route.

ROOT BARRIERS:

Use of root barriers (e.g. 24" high black plastic root barrier curtain from Sierra Moreno in Mountain View, Biobarrier (tm), copper barrier, etc.) shall be restricted to the south side of the proposed building footprint at +/- 3 horizontal feet out from the edge of footing.

ASHALT & RUBBER DEMOLITION/EXCAVATION/RENOVATION:

- a. PHASING: If possible, phase all demolition, excavation, and renovation of existing asphalt and rubber playground materials to the very end of project to keep tree root zone impacts to a minimum until that time.
- b. LOCATIONS: Verify with the contract city arborist (CCA) all locations of existing materials proposed to be modified in any way (e.g. existing asphalt surfacing, existing rubber playground surfacing, headers, basecourses, etc.). Note that TPZ chain link fencing cannot be moved or removed to perform work inside the redwood tree canopy driplines without expressed permission from the CCA.
- c. SURFACES ONLY: As feasible, limit all work to renovation of surfaces only, such that existing baserock (or base of any type) layers containing redwood roots remain intact as-is under the redwood canopy driplines.
- c. ARBORIST MONITOR: Schedule demo and excavation activities with the CCA so that he can be present to monitor activities and minimize tree root damage. Root pruning requirements can be assessed at the time of monitoring.
- d. PRUNING: Roots measuring 1 inch or greater in diameter shall be severed at right angles to root growth direction, using sharp professional pruning shears, professional pruning loppers, professional pruning saw, Sawzall, chainsaw, or other means deemed acceptable to the CCA. Immediately after pruning, backfill gently by hand-tamp and flood irrigation to saturate the uppermost 2 feet of the soil profile. Cover with wood chip mulch prior to flood irrigation if applicable per discussion with the CCA.

LANDSCAPE / IRRIGATION:

Verify if any plant or irrigation line installation will occur within the canopy driplines of redwoods #4 through #11. If irrigation will be installed, then specify use of Netafim 1/2" diameter professional grade emitter line instead of PVC rigid pipe. Netafim is laid over the soil surface and pinned down with landscape pins as a trenchless irrigation technology that is tree root-friendly.

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 8

11. The applicant shall be required to notify the homeowners association and all property owners/residents within a 300-foot radius of the subject site prior to any/all grading operations – such notification shall include the following:

- A statement of the published haul route for the cut/fill work.
- A description of the staging area(s) for all equipment involved with the project cut/fill work.
- The dates or a timeframe in which the cut/fill work for the project is expected to take place.
- Contact Information for the project construction manager.

Building Division

A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.

1. Plans shall conform to approved project plans.

B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.

1. Obtain all required permits.
2. Retaining walls shall be designed per city standards.
3. Archeology finds shall be mitigated per city standards.
4. The construction activities shall comply with the City Noise Ordinance, and the applicant shall post hours of operation and phone numbers for noise complaints, visible from Carlmont Drive.
5. Provide a list of construction and demolition recycling service providers.
6. Require contractors and subcontractors to make good faith effort to contact construction and demolition recycling providers.
7. Notify all contractors and subcontractors of Belmont expectations of maximizing diversion of solid waste.
8. Investigate opportunities for salvaging material for reuse.
9. Provide a final letter on the amount/type of materials diverted from the landfill.

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 9

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.

1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or

removed and replaced in accordance with the Department of Public Works approved standards. Photographs or video of before condition are recommended.

2. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be used.

3. Roof downspout systems shall be designed to drain into designated, effective infiltration areas or structures (refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Stormwater Quality Protection [available from BASMAA @ 510-622-2465]).

B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.

1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.

2. Property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.

3. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.

4. The proposed development may add or replace the impervious surface area of the property. The applicant shall provide calculations showing the total impervious area of the completed project with the building permit application. Calculations shall be submitted to the Department of Public Works for review and approval.

5. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:

a. A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 10

patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.

b. Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).

c. Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.

d. Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.

e. Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.

f. Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).

g. Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.

6. The sanitary sewer shall include a backflow prevention device.

7. All plans shall conform to the requirements of the City NPDES stormwater discharge permit and the San Mateo Stormwater Pollution Prevention Plan (STOPP). The project plans shall include permanent storm water quality protection measures. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses to be conducted on-site to effectively prohibit the discharge of pollutants with storm water runoff. A Maintenance and Operation Agreement shall be prepared by applicant incorporating the conditions of this section.

8. The owner/applicant shall provide a plan showing all the site improvements and utility trench locations. The plan shall indicate the location of all the protected trees and protection fences on site. No utility trench shall encroach within the protection fence areas.

9. The owner/applicant shall designate an on-site area for storage and staging. No material is allowed to be

staged or stored on City streets without a property encroachment permit.

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 11

C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.

1. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties.

The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.

2. Failure to comply with any permit condition may result in a "Stop Work" order or other penalty.

3. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code.

Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.

4. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.

5. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:

a. Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.

b. Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.

c. Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.

d. Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.

e. Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.

f. Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.

g. Perform clearing and earth moving activities only during dry weather (April 15 through November 14).

Conditions of Approval – PA2009-0042

2200 Carlmont Drive

December 15, 2009

Page 12

h. Limit and time applications of pesticides and fertilizers to prevent polluted runoff.

i. Limit construction access routes and stabilize designated access points.

j. Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.

6. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE BELMONT/SAN CARLOS FIRE DEPARTMENT:

1. An approved fire alarm/local alarm system meeting the standards of the Belmont / San Carlos Fire Protection Authority current ordinance shall be provided.

2. A Final inspection by the Belmont / San Carlos Fire Protection Authority is required.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.

2. No debris boxes or building materials shall be stored on the street.

3. Flag persons shall be positioned at both ends of blocked traffic lanes.

4. 24-hour written notice to the Police Department is required before any lane closure.
 5. Ensure the safety of children on site by properly fencing off area of construction.
- Certification of Approved Final Conditions:
Damon DiDonato, Senior Planner